

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

FILED
AUG 26 2010
By **PATRICK E. DUFFY, CLERK**
DEPUTY CLERK, MISSOULA

UNITED STATES OF AMERICA,

CR 10-17-BU-DWM

Plaintiff,

vs.

**FINDINGS & RECOMMENDATION
CONCERNING PLEA**

MELISSA LYNN SEVER,

Defendant.

The Defendant, by consent, has appeared before me under Fed. R. Crim. P. 11 and has entered a plea of guilty to each of the two counts set forth in the Information filed against her. After examining the Defendant under oath, I have made the following determinations:

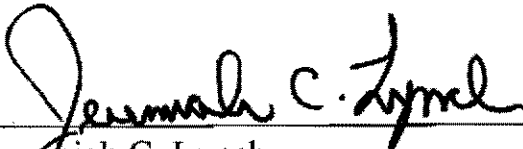
1. That the Defendant is fully competent and capable of entering an informed and voluntary plea,
2. That the Defendant is aware of the nature of the charges against her and the consequences of pleading guilty to the charges,
3. That the Defendant fully understands her constitutional rights, and the extent to which she is waiving those rights by pleading guilty, and
4. That the guilty pleas are knowing and voluntary pleas, supported by an

independent basis in fact sufficient to prove each of the essential elements of the offenses charged.

The Court further concludes that the Defendant had adequate time to review the Plea Agreement with counsel, that she fully understands each and every provision of the agreement and that all of the statements in the Plea Agreement are true. Therefore, I recommend that the Defendant be adjudged guilty of the criminal charges set forth in the Indictment, and that sentence be imposed.

This report is forwarded with the recommendation that the Court defer a decision regarding acceptance until the Court has reviewed the Plea Agreement and the presentence report.

DATED this 25th day of August, 2010.


Jeremiah C. Lynch
United States Magistrate Judge